

REMARKS

Claims 21 and 31 are currently amended merely to place the pending claims in better condition for allowance. The claim amendments do not add new matter and are not intended to change the scope of the claims. Accordingly, Applicants respectfully request that this Amendment be entered.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Claims 21 and 31 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The rejection is respectfully traversed. Claims 21 and 31 have been amended to clarify the memorizing and judging limitations in accordance with the Examiner's request. Support for the amendments can be found in the specification in at least page 15, lines 17-26 and page 16, line 21 to page 17, line 13. Accordingly, the rejection should be withdrawn and the claims allowed.

Claims 21 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over "Galaxian." Claims 21, 23, 25, 27 and 29-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sanbongi. The rejections are respectfully traversed.

Claim 21 recites a control program, that when executed by a computer, causes a computer to "set a first distance and a second distance which is above the first distance as a distance of said one character from a predetermined base point and memorize the first distance and the second distance in a memory; memorize, in the memory, respective distances of said plurality of characters from said predetermined base point at a certain moment in time; read, from the memory, the memorized respective distances of said plurality of characters at a present time; judge each of said plurality of characters as to whether or not it is a selectable candidate object based upon a content of said memory by judging whether its memorized respective distance at the certain moment of time is below said first distance and additionally its distance at said present time is below said second distance, and judging whether its distance at said present time is below said first distance; decide an order of selecting those of said judged plurality of selectable candidate objects based upon

their respective distances at said present time; and select, based on the decided selection order, one of said plurality of characters as said attack target and sequentially change said attack target in response to an attack target changing operation by the game player.”

Similarly, claim 31 recites electronic device comprising “means for setting a first distance and a second distance which is above the first distance as a distance of said one character from a predetermined base point and memorize the first distance and the second distance in a memory; means for memorizing, in the memory, respective distances of said plurality of characters from said predetermined base point at a certain moment in time; means for reading, from the memory, the memorized respective distances of said plurality of characters at a present time; selectable candidate object judging means for judging each of said plurality of characters as to whether or not it is a selectable candidate object based upon a content of said memory by judging whether its memorized respective distance at the certain moment of time is below said first distance and additionally its distance at said present time is below said second distance, and judging whether its distance at said present time is below said first distance; selection order deciding means for deciding an order of selecting those of said plurality of selectable candidate objects, which have been judged by the selectable candidate object judging means, based upon their respective distances at said present time; and attack target changing means for selecting, based on the selection order decided by the selection order deciding means, one of said plurality of characters as said attack target and sequentially changing said attack target in response to an attack target changing operation by the game player.”

Applicants respectfully submit that both Galaxian and Sanbongi fail to disclose, teach or suggest “judg[ing] each of said plurality of characters as to whether or not it is a selectable candidate object based upon a content of said memory by judging whether its memorized respective distance at the certain moment of time is below said first distance and additionally its distance at said present time is below said second distance, and judging whether its distance at said present time is below said first distance” as is recited in claim 21. Applicants also submit that both Galaxian and Sanbongi fail to disclose, teach or suggest “selectable candidate object judging means for judging each of said plurality of characters as to whether or not it is a selectable candidate object based upon

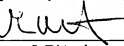
a content of said memory by judging whether its memorized respective distance at the certain moment of time is below said first distance and additionally its distance at said present time is below said second distance, and judging whether its distance at said present time is below said first distance” as is recited in claim 31. Applicants have presented substantial arguments as to why Sanbongi did not disclose, teach or suggest the prior versions of claims 21 and 31. These arguments are incorporated herein, but not are not repeated to simplify this response. The Galaxian reference is no more relevant than Sanbongi. Applicants respectfully submit that there is simply no disclosure in either reference suggesting this type of distance-based game judgment. Accordingly, claims 21 and 31 are patentable over Galaxian and Sanbongi, even if the two references were combined.

Claims 23, 25, 27, 29 and 30 depend from claim 21. Claims 32 and 32 depend from claim 31. As such, claims 23, 25, 27, 29-30 and 32-33 also are patentable over Sanbongi for at least the reasons described the above. The rejections should be withdrawn and the claims allowed.

In view of the above, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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